1. (Amended) A method of [killing] reducing the growth rate of a cell, comprising contacting [a] said cell with (a) a [p53 protein or] gene encoding a functional p53 protein and (b) a DNA damaging agent in a combined amount effective to kill said cell.

2. (Amended) The method of claim 1, wherein said cell is contacted with [a p53 protein or] said gene in combination with X-ray radiation, UV-irradiation, γ-irradiation, microwaves, adriamycin, 5-fluorouracil, etoposide, camptothecin, actinomycin-D, mytomycin C, or cisplatin.

3. (Amended) The method of claim 2, wherein said cell is contacted with [a p53 protein or] said gene in combination with cisplatin.

4. (Twice amended) The method of claim 1, wherein said cell is contacted with a recombinant[, non-viral] vector that expresses a functional p53 protein in said cell in combination with a DNA damaging agent.

5. (Twice amended) The method of claim 4, wherein said p53-expressing recombinant, non-viral vector is a naked DNA plasmid or a plasmid within a liposome, a retroviral vector, an AAV vector, or a recombinant adenoviral vector.

7. (Twice amended) The method of claim 4, wherein said p53-expressing recombinant[, non-viral] vector comprises a p53 expression region positioned under the control of a constitutive promoter.

8. (Twice amended) The method of claim 4, wherein said recombinant[, non-viral] vector comprises a p53 expression region, the cytomegalovirus IE promoter and the SV40 early polyadenylation signal.

12. (Amended) The method of claim 1, wherein said cell is first contacted with [a p53 protein or] said gene and is subsequently contacted with [a] said DNA damaging agent.

13. (Amended) The method of claim 1, wherein said cell is first contacted with [a] said DNA damaging agent and is subsequently contacted with [a p53 protein or] said gene.

14. (Amended) The method of claim 1, wherein said cell is simultaneously contacted with [a p53 protein or] said gene and [a] said DNA damaging agent.

15. (Amended) The method of claim 1, wherein said cell is contacted with a first composition comprising [a p53 protein or] said gene and a second composition comprising [a] said DNA damaging agent.

17. (Amended) The method of claim 1, wherein said cell is contacted with a single composition comprising [a p53 protein or] said gene in combination with [a] said DNA damaging agent.

~~19.~~ 19 (Amended) The method of claim ~~17~~ 16, wherein said cell is contacted with a single composition comprising a recombinant vector that expresses p53 in said cell in combination with [a] said DNA damaging agent.

C5

~~20.~~ 19 (Amended) The method of claim ~~19~~ 18, wherein said cell is contacted with a single composition comprising a recombinant adenovirus containing a recombinant vector that expresses p53 in said cell in combination with [a] said DNA damaging agent.

Sub F5

~~22.~~ (Amended) The method of claim [1], wherein said tumor cell is a malignant cell.

~~23.~~ 21 (Amended) The method of claim ~~22~~ 20, wherein said malignant cell is a lung cancer cell.

~~24.~~ 22 (Amended) The method of claim ~~22~~ 20, wherein said malignant cell is a breast cancer cell.

C6

~~25.~~ 23 (Amended) The method of claim ~~22~~ 20, wherein said malignant cell has a mutation in a p53 gene.

Sub F6

26. (Twice amended) The method of claim 21, wherein said tumor cell is located within an animal at a tumor site [and said p53 protein or gene and DNA damaging agent are administered to the animal in a pharmacologically acceptable form].

32. (Amended) A composition comprising a [p53 protein or] gene encoding a functional p53 polypeptide in combination with a DNA damaging agent.

33. (Amended) The composition of claim 32, comprising [a p53 protein or] said gene in combination with adriamycin, 5-fluorouracil, etoposide, camptothecin, actimomycin-D, mitomycin C, or cisplatin.

34. (Amended) The composition of claim 33, comprising [a p53 protein or] said gene in combination with cisplatin.

35. (Amended) The composition of claim 32, comprising a recombinant vector that expresses a functional p53 protein in an animal cell in combination with a DNA damaging agent.

~~42.~~ 34 (Amended) A therapeutic kit comprising, in suitable container means, a pharmaceutical formulation of a recombinant vector that expresses a functional p53 protein in an animal cell and a pharmaceutical formulation of a DNA damaging agent.

77. (Amended) The method of claim 4, wherein said [vector] gene is administered prior to said DNA damaging agent.

78. (Amended) The method of claim 4, wherein said [vector] gene is administered after said DNA damaging agent.

F10 cancels C9 cont

79. (Amended) The method of claim 4, wherein said [vector] gene is administered at the same time as said DNA damaging agent.

Subs F11

83. (Amended) The method of claim [28] 26, wherein said [vector] gene is delivered endoscopically, intravenously, intratracheally, intralesionally, percutaneously or subcutaneously.

~~84.~~ 58 (Amended) The method of claim [28] ~~26~~ 24, wherein said tumor site is a resected tumor bed.

~~85.~~ 59 (Amended) The method of claim [28] ~~26~~ 24, wherein said administration is repeated.

Subs F12 C10

86. (Amended) The method of claim [81] 13, wherein the period between administration of the DNA damaging agent and [vector] gene is between 12 and 24 hours.

87. (Amended) The method of claim [81] 13, wherein the period between administration of the DNA damaging agent and [vector] gene is between 6 and 12 hours.

88. (Amended) The method of claim [81] 13, wherein the period between administration of the DNA damaging agent and [vector] gene is about 12 hours.

89. (Amended) The method of claim [80] 12, wherein the period between administration of the [vector] gene and DNA damaging agent is between 12 and 24 hours.

90. (Amended) The method of claim [80] 12, wherein the period between administration of the vector and DNA damaging agent is between 6 and 12 hours.

C10 cont. F12 cancel

91. (Amended) The method of claim [80] 12, wherein the period between administration of the vector and DNA damaging agent is about 12 hours.

SUB D1 > 96. 66 (Amended) The method of claim [28] 21, wherein said tumor cell is an epithelial tumor cell.

C11

97. 67 (Amended) The method of claim [95] 23 21, wherein said lung cancer cell is non-small cell lung carcinoma cell.

111. 72 (Amended) The method of claim [28] 26 24, wherein said [vector] gene is administered in about 0.1 ml.

C12

112. 73 (Amended) The method of claim [28] 26 24, wherein said [vector] gene is administered in about 10 ml.

127. (Amended) The method of claim [7] 4, wherein said promoter is a [constitutive] promoter.

C13

128. 80 (Amended) The method of claim [127] 7, wherein the promoter is selected from the group consisting of SV40, CMV and RSV.